

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 152 of 2023

Sahadeb Debnath
Vs.
Gouri Shankar Shaw

Mr. Rajnarayan Datta
... For the petitioner

This application under Article 227 of the Constitution of India has been filed assailing the order dated 14th December, 2022 whereby the learned Civil Judge (Junior Division), Bidhannagar, North 24-Parganas, allowed the defendant to adduce evidence in the suit subject to payment of cost of Rs.4,000/-.

From the impugned order dated 14th December, 2022, I find that on the date the plaintiff filed a petition under Section 151 of the Code of Civil Procedure with a prayer for treating the same as written objection. After perusing the petition dated 30th September, 2022 and thereafter the learned Judge conceded the prayer of the defendant to adduce evidence recalling the order dated 15th November, 2021 whereby the learned Judge closed the evidence on behalf of the defendant.

On careful scrutiny of the order dated 14th December, 2022, I do not find any infirmity or illegality in the order passed by the learned Judge allowing the

defendant to adduce evidence for the purpose of proper adjudication of the suit.

In the aforesaid view of the matter, I do not find any merit in this revisional application under Article 227 of the Constitution of India.

With the aforesaid observation, the revisional application, being CO 152 of 2023, stands disposed of.

Let a copy of this order be communicated to the learned Trial Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)